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DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOOD AND DRUG ADMINISTRATION
4298 Elysian Fields Avenue
New Orleans, LA 70122-3896
Telephone (504) 589-7166
Fax (504) 589-4657

January 8, 1998

WARNING LETTER NO. 98-NOL-14

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jerald P. Poche', Owner
Brocato's Food
3259 Chippewa Street
New Orleans, Louisiana 70115

Dear Mr. Poche:

During an inspection of your firm, located at 3259 Chippewa Street, New Orleans, Louisiana 70115, our investigators revealed that FD&C Yellow No 5 is not listed among the list of ingredients on the immediate container of any of the sizes of potato salad you manufacture and/or distribute.

As a result of these findings, your product, potato salad, is adulterated within the meaning of the Federal Food, Drug and Cosmetic Act (the Act) Section 402(c) in that it contains undeclared FD&C Yellow No. 5, a color additive which is unsafe within the meaning of Section 706(a) of the Act.

Our investigation also documented numerous insanitary conditions which cause your products, potato salad, carrot and raisin salad, tuna salad, macaroni salad, and cole slaw, to be adulterated within the meaning of Section 402(a)(4) of the Act.

Objectionable insanitary conditions noted included: 1) residues from previous operations present on equipment and food contact surfaces; 2) encrusted residues from previous operation on storage racks in walk-in cooler; 3) live flies inside the processing plant during production; 4) doors left open during processing; and 5) numerous improper employee practices.

The above identification of violations is not intended to be an all-inclusive list of deficiencies at your facility. It is your responsibility to assure adherence with each requirement of the Good Manufacturing Practice Regulations.

You should take prompt action to correct these deviations. Failure to promptly correct these deviations may result in regulatory action without further notice. This may include seizure and/or injunctions.

You should notify this office in writing, within 10 days of receipt of this letter, of the steps you have taken to correct the noted violations, including an explanation of each step being taken to prevent the recurrence of similar violations. If corrective actions cannot be completed within 10 days, state the reason for the delay and the time within which the corrections will be completed.

Your response should be directed to Carolyn S. Olsen, Compliance Officer, U.S. Food and Drug Administration, 4298 Elysian Fields Avenue, New Orleans, Louisiana 70122-3896. Should you have any questions concerning the contents of this letter, or if you desire a meeting with the agency staff, you may contact Mrs. Olsen at telephone number (504) 589-7166.

Sincerely,

James E. Gamet
District Director
New Orleans District

Enclosure: FDA-483

/tjt